

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

v.

ORDER  
08-CR-015A

YINGJI JIN,

Defendant.

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This case was referred to Magistrate Judge H. Kenneth Schroeder, Jr., pursuant to 28 U.S.C. § 636(b)(1)(A). On March 20, 2008, defendant filed a motion to suppress statements and evidence. On March 30, 2009, Magistrate Judge Schroeder filed a Report and Recommendation, recommending that defendant's motion to suppress the defendant's statements be granted, but that the motion to suppress evidence seized pursuant to a search warrant be denied.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties. No objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Schroeder's Report and Recommendation, defendant's motion to suppress statements by the defendant is granted, but here motion to suppress physical evidence be denied.

The parties shall appear in Court for a status conference or meeting to set a trial date on Monday, September 14, 2009 at 9:00 a.m.

SO ORDERED.

*s/ Richard J. Arcara*

HONORABLE RICHARD J. ARCARA  
CHIEF JUDGE  
UNITED STATES DISTRICT COURT

DATED: September 11, 2009